

## REMARKS

The applicant appreciates the Examiner's thorough examination of the application and requests reexamination and reconsideration of the application in view of the preceding amendments and the following remarks.

In the previous Office Action, the Examiner rejected the previous claims as being unpatentable under 35 U.S.C. §103(a) over Miller, Galante, Sosoya, Shimura, and Gove.

New claims 25-33 are presented herein in order to clarify the applicant's invention.

Miller fails to disclose or suggest an optical bench or an imager. Galante fails to teach or suggest a vertically oriented imager. Galante also fails to teach or suggest a fixed imager. Instead, the TV camera system is mounted on a turntable and tilt means are provided for tilting the camera as well as to rotate it. Galante also fails to teach an optical device configured to provide a panoramic view of the horizon.

Sosoya, Shimura, and Gove fail to teach or suggest a buoy including a lengthy hull divided into a ballast portion which resides below the water line and a top portion disposed above the water line.

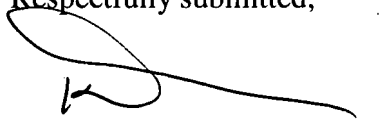
The applicant recognizes that the individual components of the claimed photonic buoy may be found amongst various different prior disclosures. As the Supreme Court in the KSR decision recently announced, however, "inventions in most, if not all, instances rely upon building blocks long since uncovered and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known." KSR International V. Teleflex, Inc., 550 U.S. \_\_\_\_\_, (2007) (Slip Opinion at 15). In the subject case only the applicant discovered the source of the problem with previous attempts at stabilizing the imager in a buoy. The applicant's claimed buoy functions well with less components overall and the need for any

type of gyro-stabilization system, or a turntable or tilt mechanism for the imager. The Examiner's proposed modifications to the prior art render them unsatisfactory for their intended purposes. Therefore, the subject invention as claimed is not obvious under 35 U.S.C. §103.

Each of the Examiner's rejections has been addressed or traversed. Accordingly, it is respectfully submitted that the application is in condition for allowance. Early and favorable action is respectfully requested.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates collect in Waltham, Massachusetts, at (781) 890-5678.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kirk Teska', is written over a horizontal line.

Kirk Teska  
Reg. No. 36,291